

FILED

APR 01 2013

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

Clerk, U.S. District Court
District Of Montana
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICIA M. RICKER,

Defendant.

CR 03-112-GF-DLC-RKS

ORDER

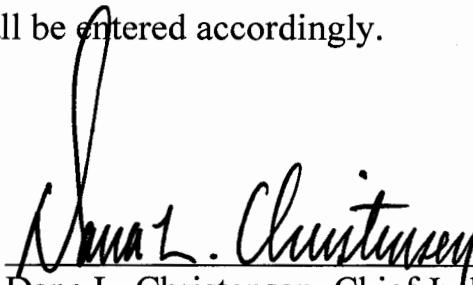
This case was referred to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on March 6, 2013. He found that Defendant violated Standard Condition #7 of her supervised release by admitting to using methamphetamine on December 14 and February 15, as alleged in the petition. Judge Strong recommends that this Court revoke Defendant's supervised release and commit her to the custody of the United States Bureau of Prisons for a term of imprisonment of 6 months, to be followed by 54 months supervised release. No objections have been filed by either party, and Judge Strong's findings and

recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Strong's finding that Defendant violated Standard Condition #7 of her supervised release. Defendant admitted to the violations and allocuted before Judge Strong. Judge Strong is also correct that the United States Sentencing Guidelines call for 3 to 9 months imprisonment, to be followed by a term of supervised release that brings the total sentence up to 60 months in this case. Defendant's multiple violations demonstrate her inability to follow the conditions of her supervised release and are a violation of the Court's trust. Defendant asserts that her addiction issues have been a long-term struggle, so the maximum allowable period of supervised release is appropriate to aid Defendant's compliance and to protect the community.

IT IS ORDERED that Judge Strong's Findings and Recommendations (doc. 75) are ADOPTED in full and Judgment shall be entered accordingly.

Dated this 1st day of April 2013.



Dana L. Christensen, Chief Judge
United States District Court